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Mail Stop AF

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Response under 37 C.F.R. 1.116
Expedited Procedure Requested
Examining Group. 2872
Attorney Docket No. P21224

In re application of: Masami SHIRAI et al.

Corres. and Mail

Application No. : 09/978,542

BOX AF

Group Art Unit: 2872

Filed : October 18, 2001

Examiner: T. NGUYEN

For : A SURVEYING INSTRUMENT

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Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is an **Amendment under 37 C.F.R. 1.116** in the above-captioned application.

_____ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

_____ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

_____ A Request for Extension of Time.

X No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 8	25	0	x25=	\$	x 50=	\$0.00
Indep. Claims: 3	5	0	x100=	\$	x200=	\$0.00
Multiple Dependent Claims Presented			+180=	\$	+360=	\$0.00
Extension Fees for ____ Month(s)				\$		\$0.00
Total:				\$	Total:	\$0.00

* If less than 20, write 20

** If less than 3, write 3

_____ Please charge my Deposit Account No. 19-0089 in the amount of \$_____.

N/A A check in the amount of \$_____ to cover the filing/extension fee is included.

X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Daniel B. Moon

Bruce H. Bernstein Reg. No. 48,214
Reg. No. 29,027

P21224.A09



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masami SHIRAI et al.

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RESPONSE UNDER 37 CFR § 1.116

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401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Final Official Action dated March 8, 2005, setting a shortened three-month statutory period for response to expire on June 8, 2005, Applicants respectfully request entry of the present amendment and withdrawal of the outstanding rejection in view of the herein contained amendments and remarks.